

**MINUTES  
TOWN MEETING  
January 4, 2016  
Emmitsburg Town Office**

**Present:** Mayor Donald Briggs; Commissioners Clifford Sweeney, Joseph Ritz III, Glenn Blanchard and Tim O'Donnell, President.

Staff present were Sue Cipperly, Town Planner; Cole Tabler, Town Accountant; Cathy Willets, Town Clerk; and Dave Haller, Town Manager.

**Absent:** Commissioner Jennifer Mellor with prior notice

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**I. Call to Order**

Commissioner Tim O'Donnell, President of the Board of Commissioners, called the January 4, 2016 Town Meeting to order at 7:30 p.m. Pledge of Allegiance was recited.

**Approval of Minutes**

The Minutes of the December 8, 2015 Town Meeting were approved as presented/corrected. Motion by Commissioner Ritz III second by Commissioner Sweeney.

**Vote 4 to 0 in favor** Commissioner Mellor absent.

**Commissioner Comments**

Commissioner(s) cited attendances, recognitions and announcements. Commissioner Ritz III thanked the Mayor, volunteers and Red Cross for distributing the new smoke detectors with the lithium batteries. Commissioner Blanchard mentioned the upcoming Vigilant Hose Annual banquet and encouraged all to attend to recognize their service to the Community. Commissioner O'Donnell congratulated Eagle Scout candidate Paul Slotwinski for being recognized by the Frederick News Post as an All County Cross County runner.

**Mayor's Comments**

Mayor Briggs stated he attended the 2015 award ceremony, Eagle Court of Honor Program, Troop 727 on December 26<sup>th</sup>. Mayor Briggs advised Paul Slotwinski, Keegan X. Wright, Andrew Neibecker, Brendan P. Isaacson, and Stephen M. Lowe all received their Eagle Scout designation. He also noted that the Town was awarded its 4<sup>th</sup> Community Legacy grant for \$50,000. This should take us close to \$400,000 in investment downtown. Mayor Briggs also mentioned that Emmitsburg was named as one of the Ten Most Beautiful and Charming small towns in Maryland by Onlyinyourstate.com.

**Administrative Business** - Commissioner O'Donnell asked if there was any follow-up on the drive through of Pembroke. Mr. Haller advised a drive-through has been completed but staff has not completed their review.

**Consent Agenda** - none

**Reports:**

**Treasurer's Report** – Commissioner Blanchard reviewed the cash activity report as of December 21, 2015.

**Planning Commission Report** - no report given.

**II. Agenda Items**

**Budget Transfers** – Mr. Haller advised the Board that in the past staff waited until the end of the year to make all the budget transfers. He stated the auditors did not like or recommend that procedure. Mr. Haller and Mr. Tabler have worked together to bundle them and bring to the Board as needed. Mr. Haller advised that this is simply moving a designated amount of money from one line item to another. It does not mean the budget is not balanced but keeps it more organized. Mr. Tabler explained the transfers will go to line items where expenses were incurred this fiscal year, i.e. in Dept. 10 Legislative \$16,815.00

was spent on updating the video broadcast equipment for the Town Meetings. This was an unexpected expense so a budget transfer is needed to bring that amount to 0. Mr. Tabler reviewed the transfers that were needed, in addition to the \$16,815 in legislative: \$10,796 Dept. 15 Buildings & Activity 333 Solar Field Project; \$5,020 Dept. 60 Parks & Activity 352 Park/Rec Equipment Upgrades; \$3,162 Dept. 60 Parks & Activity 391 Trail Walk Comm Park; and \$14,207 Dept. 60 Parks & Activity 999 General. Mr. Tabler advised that a \$50,000 transfer will be needed from the following line items where we have excess: \$15,000 from Dept 30 Streets & Activity 374 LED upgrade; \$11,000 from Dept. 30 Streets & Activity 383 E. Lincoln Ave. reserve; and \$24,000 from Dept. 30 Streets & Activity 999 General.

Commissioner O'Donnell reviewed the following line items: LED Upgrade, E. Lincoln Ave., Park and Rec Equipment Upgrade, Trail Walk Comm Park, as well as the General Fund in Dept. 30 and Dept. 60.

Commissioner Ritz III asked about the need for a \$50,000 transfer when the requested/needed amount is only \$47,112. Mr. Tabler explained that under the General Fund in Dept. 60 (999) there was an extra amount added of \$2,888 to bring the transfer to total \$50,000. He advised it makes the accounting work a little cleaner. Commissioner Ritz III inquired as to the Solar Project expenses. Mr. Haller advised that most of the expense was incurred pre-construction, such as site work.

**Motion:** To approve the \$50,000 budget transfers as presented in Item 1.  
Motion by Commissioner Sweeney second by Commissioner Ritz III

**Vote: 4-0 in favor** Commissioner Mellor absent

#### **Discussion of how many Town Council meetings are held yearly**

Mayor Briggs reviewed the Charter which states that Town Council is required to have one meeting a month. He stated that it costs approx. \$300-\$400 per meeting to pay staff and travel. Mayor Briggs stated in 2003 it changed to two per month. Mayor Briggs advised there are currently 22 meetings per year and it may be time to reduce the number of meetings based on the number of agenda items currently being proposed. Mr. Haller advised per code two Commissioners or the Mayor can call an additional meeting at any time. Commissioner Blanchard suggested reducing the meetings to 18 a year. Commissioner O'Donnell was not opposed to a reduction as long as the Council meets their goals by providing accessibility of "ourselves" to the Town through a formal setting, providing transparency of the process through which the Town moves forwards and acts, and we have accountability and are the stewards to what Town Staff does. Commissioner Sweeney was not opposed to reducing the meetings. Commissioner Ritz III's only concern would be around budget time. Mr. Haller advised it would be beneficial to keep the extra meetings the third Monday of the month as historically done.

There was unanimous consent from the Board to direct staff to develop a meetings policy to incorporate one meeting a month and as necessary two meetings a month (additional meetings can be added as needed). The second meeting will remain the third Monday of month.

#### **Vote to change Open Space zone title to Institutional zone**

Ms. Cipperly advised when the Town adopted the 2015 Comprehensive Plan there was a change to the land use designation for the area that includes the school, town office, Daughter of Charity property, Seton School and anything with institutional uses. Those areas were previously called Open Space Use because it also included all the parks and stream corridors. After the 2009 Comprehensive Plan, changes to the zoning occurred to separate off all the recreational use and Open Space. There was never a change to the title of the land use designation or the zoning. In the most recent 2015 Comprehensive Plan, following a recommendation from Frederick County, a change was made to the land use designation to Institutional for this area that has public or non-profit uses in it. Therefore, there are four ordinances that

need to be adopted to make the necessary title and definition changes. Ms. Cipperly advised that these ordinances need to be sent to the Planning Commission. She also advised that there needs to be an advertised public hearing which could be set for the February 1, 2016 Town Council meeting. Commissioner Ritz III requested that the definitions in Ordinance 16-04, 16-05 and 16-06 match. He stated as they are written the definitions are different in the respective ordinances. Ms. Cipperly advised that the Planning Commission should discuss this issue.

**Motion:** To send Ordinances, as modified, 15-03, 04, 05 and 06 to the Planning Commission for review.

Motion by Commissioner Ritz III second by Commissioner Blanchard

**Vote: 4-0 in favor** Commissioner Mellor absent

Unanimous consent to set public hearing to consider for final approval at the February 1, 2016 Town Council meeting.

**Set Agenda Items for January 20, 2016 Town Meeting**

1. For consideration and possible final vote – Nuisance ordinance
2. Meetings Policy related to number of monthly Town Council meetings

**III Public Comments - none**

**IV SIGN APPROVED TEXT AMENDMENTS AND/OR RESOLUTIONS**

**IV Adjournment**

With no further business, the January 4, 2016 Town Meeting was adjourned at 8:35 p.m.

Respectfully submitted,  
Cathy Willets  
Town Clerk  
January 20, 2016